

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

William E.,

Case No. 18-cv-2668 (DTS)

Plaintiff,

v.

ORDER

Andrew Saul,
*Commissioner of
Social Security,*

Defendant.

Dana Duncan, Duncan Disability Law, S.C., 555 Birch Street, Nekoosa, WI 54457, for Plaintiff

Tracey Wirmani, Special Assistant U.S. Attorney, Social Security Administration, 1301 Young Street, Mailroom 104, Dallas, TX 75202, for Defendant

Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), Plaintiff brings a motion for an award of attorney fees in the amount of \$6,662.80. Docket No. 28. The Commissioner does not object to Plaintiff's motion. Docket No. 33. The Court has read the materials submitted by Plaintiff and grants Plaintiff's motion for fees subject to the following adjustment: the Court reduces Plaintiff's total requested hours by 0.9 hour for clerical tasks that are non-compensable under the EAJA.¹ Accordingly, the Court finds an award of \$6,572.80 is reasonable.

IT IS HEREBY ORDERED that Plaintiff's Motion for Attorney Fees [Docket No. 28] is GRANTED IN PART and DENIED IN PART as follows:

¹ The specific time and task entries are under Paralegal Time as follows: the 9/14/18 first entry is reduced by 0.1 hour for certificate of service, the second entry for 0.3 is non-compensable time, the third entry is reduced by 0.2 for summons and certificate of service; and the 11/16/18 entry for 0.3 for filing affidavit of service is non-compensable time. See Time Record, Docket No. 29-2.

1. Plaintiff is awarded attorney fees in the amount of \$6,572.80 to be paid by the Social Security Administration.

2. If there is no debt subject to offset owed by Plaintiff, the attorney fees may be paid directly to Plaintiff's attorney pursuant to the retainer agreement and assignment [Docket No. 29-1].

Dated: August 15 , 2019

s/David T. Schultz
DAVID T. SCHULTZ
United States Magistrate Judge